United Nations A/ES-10/474–S/2010/13

General Assembly
Security Council

Distr.: General
7 January 2010

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fifth year

Letter dated 6 January 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

At the onset of this new year, it is my deep regret to inform you that the situation in the Occupied Palestinian Territory remains critical, with the situation of the Palestinian civilian population in the Gaza Strip remaining particularly dire, as a result of the flagrant violations of international law, including international humanitarian and human rights law, that continue to be perpetrated by Israel, the occupying Power.

Although one year has passed since the lethal and destructive Israeli military aggression against the Gaza Strip, so-called "Operation Cast Lead", the humanitarian, social, economic, living and psychological conditions of the Palestinian civilian population remain grave. The population remains traumatized from the brutal crimes, including war crimes, perpetrated by the occupying Power during that onslaught. Further, the situation on the ground has continued to deteriorate owing to Israel's continued imposition of its illegal, unethical and suffocating blockade. The human and physical toll of this blockade continues to mount, as Israel continues to breach its obligations under international humanitarian and human rights law and to flatly ignore the appeals of the international community to end the blockade and open Gaza's border crossings for the regular and sustained movement of persons and goods.

The blockade has prevented the reconstruction of the thousands of destroyed homes, properties and institutions and of vital civilian infrastructure, obstructing the physical recovery of the population, which continues to live amidst the rubble and ruin. The blockade also continues to prevent Gaza's economic recovery, as the import of essential and commercial goods continues to be restricted and exports continue to be completely prohibited. This has exacerbated the already precarious socio-economic situation, with loss of livelihoods and rampant unemployment causing ever-rising levels of poverty and despair among the Palestinian people, in addition to a wide range of other maladies, including the continued decline of health

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and education standards and the decay of infrastructure, such as health and sanitation systems, with manifold negative consequences.

At the same time, Israel, the occupying Power, continues its illegal colonization campaign throughout the Occupied Palestinian Territory, especially in and around East Jerusalem. Settlements, the Wall and related infrastructure continue to be built by the occupying Power on confiscated Palestinian land in grave breach of international law and United Nations resolutions and in blatant defiance of the International Court of Justice's advisory opinion of 9 July 2004. Israeli settlers also continue their lawlessness and brutality against Palestinian civilians and their properties, including in Occupied East Jerusalem, further raising tensions and inflaming sensitivities between the two sides.

Less than a week after the Israeli Government announced its plan to construct 700 new settlement units in Occupied East Jerusalem, the so-called Israeli "Jerusalem Planning and Building Committee" has approved the construction of four new buildings on the Mount of Olives, a Palestinian residential area in Occupied East Jerusalem. Moreover, today the Israeli Government approved the construction of yet another illegal settlement in the Shu'fat neighbourhood in Occupied East Jerusalem.

The continuation of this illegal, reckless and destructive colonization campaign once again confirms Israel's deliberate intent to defy international law and the unequivocal calls of the international community for the immediate and full cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem. In this regard, we regret to reiterate that continued international inaction has clearly emboldened Israel's defiance and intransigence.

While the Palestinian leadership takes positive note of the statements made by the United States Department of State and the Presidency of the European Union denouncing recent announcements of settlement construction, this latest development provides ample proof that such statements alone will not stop Israel's unlawful attempts to devoid the two-State solution of its very meaning, thus undermining the prospects for ever realizing peace and security in the region. We thus urge the international community, especially the Security Council, to uphold its own resolutions with effective actions that demonstrate responsibility and commitment to international peace and security.

Serious, collective efforts must be exerted to compel Israel, the occupying Power, to cease all of its violations and breaches of international law in the Occupied Palestinian Territory, including East Jerusalem. The shameful blockade and collective punishment of the entire Palestinian civilian population in the Gaza Strip must be brought to an end, the confiscation, destruction and colonization of Palestinian land must be brought to an end, and all other illegal Israeli measures and policies against the Palestinian people must be brought to an end. International law demands this. Respect for human rights demands this. The quest for peace demands this.

The instruments for upholding the law and for promoting international peace and security are before the international community. What is missing and is required is clear: implementation and compliance and the will to ensure them. International law and United Nations resolutions must be implemented, and their flagrant violation must not be met with continued acquiescence or surrender; all efforts must

be exerted to uphold the laws and norms that govern our international system and that are intended to protect the human rights and dignity of all peoples and to promote peace and security in our world. As we begin a new decade, it is only this that will truly remedy both the grave situation on the ground in the Occupied Palestinian Territory and the suspension of the peace process and provide us all with a genuine opportunity to achieve the two-State solution for peace.

This letter is in follow-up to our previous 353 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 31 December 2009 (A/ES-10/473-S/2010/1), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations